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UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Aldo Marra, et al.)	Date: November 18, 2004
Application No.: 10/624,792)	Group Art Unit: 3676
Filed: July 22, 2003)	Examiner: Gary Estremsky
For: Portable Door Lock)	Attorney Ref. No.: 126.01

Response to Office Action with Amendments

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

The applicant respectfully submits this response to the office action in this matter dated August 10, 2004. As explained below, the applicant has amended his claims so that all claims should now be allowable.

Claims 7, 8, 9, 10 and 13

The Examiner indicated that these claims would be allowable if they were amended to eliminate reliance on a rejected base claim. The applicant has made the suggested changes to claims 7, 8, and 9, and thus these claims are now allowable.

Please note that claim 10 has always been an independent claim, and thus no amendment is necessary to avoid dependance on a rejected base claim.

As to claim 13, its base claim (no. 11) has been amended in the manner explained below, and as a result of this amendment, claim 13 is also allowable, for the same reason that claim 11 is allowable.

Amendments to Claims 1 - 6, 11, 12

As amended, these claims are patentable over the primary references cited by the examiner, namely the Asp patent (2,673,755) and the Souza patent (4,770,451).

The applicant has added two limitations to these claims. First, these claims now require that the "bolt [is] substantially perpendicular to said strike plate." This distinguishes Asp, since Asp's putative "bolt" (23, 24, and 25) is not perpendicular to its supposed

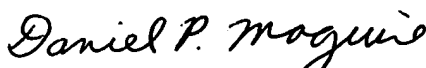
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strike plate (31, 32, 33, 34). *See* Asp Fig. 1. Nor is there any suggestion or reason to make Asp's bolt substantially perpendicular to its strike plate, unlike the present invention.

Second, these claims now require that the "magnet be placed directly adjacent to said bolt and said strike plate," (claim 1) or that the magnet be "directly adjacent to the door, the strike plate, and the bolt. (claim 11) *See* Fig. 1 of present application. This new limitation distinguishes Souza, since Souza's magnet is not shown to be directly adjacent to the strike plate, but instead is shown to be placed at the end of the "lock element" that is distal from the strike plate. *Compare Souza* figs. 1 and 8. Nor is there any suggestion or reason to move Souza's magnet to a position directly adjacent to the strike plate, especially Souza's magnet does not serve a locking function, but only serves to help store the "lock element" when it is not in use. Souza 4: 50 - 54.

Thus, with these changes, the claims of the present invention have not been anticipated or rendered obvious by the prior art, and are allowable.

Dated: November 18, 2004


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